

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

EDDY ALEXANDRE and EMINIFX,
INC.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 08/03/2022

Case 22 Civ. 3822 (VEC)

PROPOSED ORDER REQUIRING TURNOVER OF DEPOSIT TO RECEIVER

On June 16, 2022, this Court entered the Consent Preliminary Injunction in this case (Dkt.56) and, by Memo Endorsed Order (Dkt. 83), overruled the request of 34th Street Suites LLC (“Suites”) to retain a certain security deposit (Dkt. 69).

David Castleman, the court-appointed receiver (the “Receiver”) over Defendant EminiFX, Inc. (“EminiFX”) and assets of Defendant Eddy Alexandre (“Alexandre”) has properly exercised his authority to reject the license agreement and require Suites to “transfer possession of all funds, assets or other property” to the Receiver.

Suites shall turn over the Deposit to the Receiver within 3 business days from entry of this Order. Suites may make a claim in the normal claim process to be established by the Receiver with the approval of the Court at a later date, subject to the Receiver’s right to review and object to such claim as part of the approved claims process.

IT IS SO ORDERED.

Dated: 08/03/2022


Honorable Valerie E. Caproni
United States District Judge